

1      Shawn Talbot Rice  
2      PO Box 700#81  
3      Yavapai county  
4      Ash Fork 86320  
5      Arizona  
6      In Propria Persona

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11-1021  
DISTRICT OF NEVADA

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA, )  
Plaintiff, ) Case No.: 2:09-CR-078  
vs. )  
SAMUEL DAVIS and ) **AFFIDAVIT OF REQUEST FOR**  
SHAWN RICE, ) **ISSUANCE OF WRIT OF EXECUTION**  
Defendants. )  
SHAWN RICE, )  
Counter-Plaintiff/Claimant, )  
vs. )  
UNITED STATES OF AMERICA, )  
INTERNATIONAL MONETARY FUND )  
(I.M.F.) A/K/A THE FUND, FEDERAL )  
BUREAU OF INVESTIGATION, and THEIR )  
PRINCIPAL, Elizabeth Windsor II, dba )  
QUEEN ELIZABETH, dba UNITED )  
STATES OF AMERICA, Jaime Sailing dba )  
Bureau of Public Debt, Timothy Geithner dba )  
United States Treasury, Secretary Arne )  
Duncan dba United States Department of )  
Agriculture, Jane and John Doe Agents 1- )  
10,000,000, XYZ Corporations 1-10,000,000, )  
and Red and Blue LLC's 1-10,000,000, )  
Counter-defendants/Libelants, )  
Shawn Rice, Real Party in Interest, Third Party )  
Intervener, Protected Creditor to Plaintiff by )  
revesting title, Sovereign without subjects, )  
Protected Creditor pursuant to UCC 8, Trust )  
Interest Holder, and Beneficial Owner of the )  
Estate by Statute Merchant, and a Title 18 )  
Section 245 Federally Protected Legal & )  
Lawful Municipality. )

091101 -- [Affidavit and Request for issuance of writ of execution 091101], Page 1 of 5

1 || Arizona state )  
2 )  
3 yavapai county ) ss

5 I, Shawn Talbot Rice, hereby state on oath:

6 1. Judgment for \$7,853,100, was entered on or about May through October, in the docket of  
7 the above entitled Court action in favor of: plaintiff as Judgment Creditor for the Miller  
8 Act Penal Sum of \$7,853,100, and against named defendant SHAWN TALBOT RICE,  
9 (revested grantor trust) with accounting number 573531255 and bond numbers  
10 F37793174, F55451905 and others, as Judgment Debtor/Real Party in Interest/Ultimate  
11 Creditor/Source of Credit.

12 2. I am the real party in interest/ultimate creditor for said Judgment Creditor, and request  
13 issuance of a Writ of Execution on the Judgment against named DEFENDANT trust  
14 account(s).

15 3. Accrued since the entry of Judgment are the following sums:  
16 \$0.00 accrued interest, computed at N/A%  
17 \$7,853,100 toto/total accrued costs and fees in accord with the faretta hearing (July 2009)  
18 Miller Act penal sum disclosure by Magistrate Johnston and admission by both plaintiff's  
19 attorney and the Federal Bureau of Investigation.

20 4. Third Party Intervenor/Real Party in Interest is the Ultimate Creditor in this relation as he  
21 is the source of said credit, underwriter (in this relation), and this payment is a setoff in  
22 commerce. Third Party Intervenor/Real Party in Interest already sued plaintiff both  
23 administratively starting in the spring of 1996 with administrative filings for revesting  
24 title and turnover of trust res by plaintiff in April-November 2001 culminating with 2002  
25 USDC PHX suit against plaintiff trustee, USAG/Alien Property Custodian, 50 USC Appx

1           12, with evasion of service of process, manipulation of court procedure to evade trust res  
 2           turnover among other trust crimes and misdemeanors. However, as Third Party  
 3           Intervenor/Real Party in Interest is seeking amity and peace in all relations, this setoff is  
 4           sought and executed herein.

5       5. For this record, Plaintiff, therefore, originally appeared in this case with unclean hands,  
 6           ill/mal-intent with malice aforethought against Third Party Intervenor/Real Party in  
 7           Interest to steal trust res therein by false criminal process in the conditions precedent, and  
 8           in bad faith, when the security instruments tendered by plaintiff's agents were the  
 9           fungible, trust res property of Third Party Intervenor/Real Party in Interest by a prior  
 10           claim/lien duly filed via UCC-1; IRS forms 1099-OID and 1099-INT apply therein.

11           Judgments registered under 28 USC Sec 1963 bear the rate of interest of the District of Origin.

12           (Note: 1 This figure shall include interest through the day on which this affidavit is executed.  
 13           The calculation of interest due in the writ will include this figure plus accrued interest  
 14           commencing the next day through the day the writ is issued by the Clerk.)

15           CREDIT must be given for payments and partial satisfaction in the total amount of  
 16           non-pro rata amount of \$15,706,200 (allegedly paid through the Chicago Mercantile Exchange in  
 17           May (?) 2009 via GSA forms OF-90, OF-91, SF-28, etc. and Supersedeas Bond in October 2009)  
 18           which is to be first credited against the total accrued interest, costs and fees, with any excess  
 19           credited against the Judgment as entered, leaving a net balance of  
 20           \$0.00 ACTUALLY DUE on this date.

22           Accounting assessment is as follows for the Miller Penal Sum;

23           The 31 counts (27 CFR 72.11) at 250,000 units (aka dollars) equaling [\$]7,750,000 plus [\$] 100  
 24           per count for administrative costs totaling [\$] 3,100 plus [\$] 100,000 claimed by the FBI  
 25           equaling a total figure of [\$] 7,853,100.

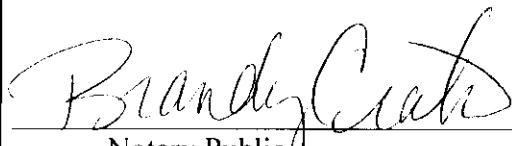
1 Of this total, [\$]7,853,100 is the amount of the original Judgment with [\$]15,706,200  
 2 presented/tendered for setoff, as entered with none remaining due and beginning interest at  
 3 0.00% in the amount of \$0.00 PER DAY from this date stated below by notary.

4   
 5

6 Authorized Representative for Ultimate Judgment Creditor, Shawn Talbot Rice, Real Party in  
 7 Interest, Third Party Intervener, Protected Creditor to Plaintiff by revesting title, Sovereign  
 8 without subjects, Protected Creditor pursuant to UCC 8, Trust Interest Holder, and Beneficial  
 9 Owner of the Estate by Statute Merchant, and a Title 18 Section 245 Federally Protected Legal &  
 10 Lawful Municipality.

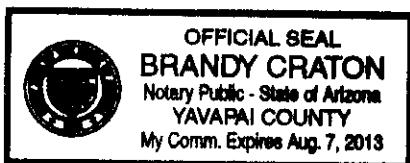
11 JURAT

12 I, Brandy Craton, a Notary Public residing in yavapai county, Arizona state, do  
 13 say that on the 10th day of November, 2009, that Shawn Talbot Rice, a man appearing in his  
 14 true character before me, did subscribe and affirm and did affix his autograph upon the above  
 15 affidavit.

16   
 17

18 Notary Public

19



1  
2 **CERTIFICATE OF SERVICE**

3  
4 COPY of the forgoing hand delivered this 10<sup>th</sup> day of November, 2009, to:

5  
6 Assistant U. S. Attorney Damm, Prosecutor  
7 333 Las Vegas Blvd. South, Suite 5000  
8 Las Vegas, Nevada 89101

9  
10 \_\_\_\_\_  
11  
12 Service performed by:

13  
14 Shawn Talbot Rice  
15 PO Box 700#81  
16 Yavapai county  
17 Ash Fork 86320  
18 Arizona  
19  
20

1      Shawn Talbot Rice  
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SHAWN RICE, )  
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BUREAU OF INVESTIGATION, and THEIR )  
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10,000,000, XYZ Corporations 1-10,000,000, )  
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Protected Creditor pursuant to UCC 8, Trust )  
Interest Holder, and Beneficial Owner of the )  
Estate by Statute Merchant, and a Title 18 )  
Section 245 Federally Protected Legal & )  
Lawful Municipality. )

1 TO THE UNITED STATES MARSHAL FOR THE DISTRICT OF NEVADA

2 On this \_\_\_\_ day of November 2009, a Judgment was entered in the docket of the above-entitled

3 Court and action, in favor of plaintiff as Judgment Creditor, and against named defendant,

4 SHAWN TALBOT RICE with accounting number 573531255 and bond numbers F37793174,

5 F55451905 and others, as Judgment Debtor/Real Party in Interest/Ultimate Creditor/Source of

6 Credit, for

7 \$7,853,100 principal,

8 \$ 0.00 attorney fees

9 \$0.00 interest, and

10 \$ 0.00 costs making total of

11 \$ 7,853,100 JUDGMENT AS ENTERED.

12 WHEREAS, according to an affidavit and request for issuance of writ of execution filed herein,

13 it appears that further sums have accrued since the entry of judgment, to wit:

14 \$ 0.00 accrued interest, and

15 \$ 0.00 accrued costs and fees, making a total of

16 \$ 0.00 ACCRUED INTEREST, COSTS ANND FEES.

17 CREDIT must be given for payments and partial satisfactions in the amount of

18 \$15,706,200 (GSA forms settled at the Chicago Mercantile Exchange and the Supersedeas Bond,

19 both of which were tendered in accordance with 28 USC 2041) which is to be first credited

20 against the total accrued interest, costs and fees, with any excess credited the Judgment as

21 entered, leaving a net balance of

22 \$ 0.00 ACTUALLY DUE on the date issuance of this writ, of which

1      \$ 7,853,100 is due on the Judgment as entered, and bears interest at 0.00% per annum, in the  
2      amount of \$0.00 PER DAY, from the date of entry of judgment to the date of issuance on this  
3      writ, to which must be added the accrued costs and fees and the commissions and costs of the  
4      officer executing this writ. (Interest rate and amount per day to be completed by plaintiff's  
5      attorney.)

6 Notice by mail of any sale under the writ of execution \_\_\_\_ Has \_\_\_\_ Has Not  
7 Been requested.

**8** The following named persons have requested such notice of sale/transfer/setoff:

**9** NAME ADDRESS

1       Shawn Talbot Rice  
2       PO Box 700#81  
3       Ash Fork 86320  
4       Arizona

YOU ARE THEREFORE COMMANDED to satisfy the said Judgment with interest and costs as provided by law and your costs and disbursements out of the personal property of said debtor, except that for any pay period, 75 percent of the disposable earnings of the debtor during this period or for each week of the period 30 times the minimum hour wage prescribed by section 6(a)(1) of the Federal Fair Labor Standards Act of 1938 [29 USC 206(a)(1)], and in effect at the time the earnings are payable, whichever is greater, is exempt from any levy of execution pursuant to this writ; or if the Judgment be a lien upon real property, then out of the real property belonging to such debtor, and make return of this writ within less than ten (10) days nor more than sixty (60) days after your receipt thereof with what you have done endorsed hereon.

6 Real Party in Interest hereby identifies to the US Marshal or his representative assets that  
7 are to be seized to satisfy the judgment/order.

1 PLAINTIFF IS COMMANDED to turn over any physical property previously seized by the FBI  
2 under previous orders to Third Party Intervenor/Real Party in Interest, or his designated agent.  
3 The US marshal or his representative is authorized to use reasonable force in the execution of  
4 this Judgment/Order and both the Judgment Creditor/Plaintiff and the Judgment Debtor/Real  
5 Party in Interest/Ultimate Creditor/Source of Credit will hold the US Marshals Service harmless  
6 of any liability that may be imposed as a result of the execution of the Judgment.

7 PLAINTIFF IS NOTICED that Third Party Intervenor/Real Party in Interest is hereby relieved of  
8 any and all physical liability associated herein, or hereafter, in relation to this case, and is  
9 immune from physical incarceration.

10  
11 DATED: \_\_\_\_\_

LANCE S. WILSON  
Clerk, US District Court

12  
13  
14 By: \_\_\_\_\_  
15 Deputy Clerk  
16